

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

CIVIL NO. 10-1530 (SEC)

v.

8,280 / 10-ounce bottles, more or less, of an article of drug, labeled in part:

“*Bee-Shield*** Hand Sanitizer**

INSTANT SANITIZING GEL

***** Kills 99.99% of Virus, Bacterias and Fungies*** 10oz.***”;**

475 / 1-gallon containers, more or less, of an article of drug, labeled in part:

“*Bee-Shield*** Hand Sanitizer**

INSTANT SANITIZING GEL

***** Kills 99.99% of Virus, Bacterias and Fungies*** 1 Gal.***”;**

73 / 5-gallon pails, more or less, of an article of drug purporting to be Bee-Shield Hand Sanitizer;

14 / 275-gallon plastic/metal tubs, more or less, of an article of drug purporting to be Bee-Shield Hand Sanitizer,

Defendants

AMENDED WARRANT OF ARREST *IN REM*

To the United States Marshall for the District of Puerto Rico:

WHEREAS, an Amended Verified Complaint for Forfeiture has been filed on June 21, 2010, in the United States District Court for the District of Puerto Rico, alleging that the defendants identified in the caption (the “defendant articles”) are unapproved new drugs under 21 U.S.C. §§ 355(a), 355(b); 21 U.S.C. §321(p); are misbranded drugs under 21 U.S.C. § 352(a), (b)(1)(A)(iii) and

(f) (1) of the Federal Food, Drug, and Cosmetic Act (the "Act"), as well as under 21 C.F.R. § 333.250(d) and 21 C.F.R. § 201.115; are articles manufactured, prepared, propagated, compounded, or processed in an establishment not duly registered under 21 U.S.C. § 360; and subject to seizure, condemnation, and forfeiture to the United States pursuant to 21 U.S.C. § 334; and

WHEREAS, the Court being satisfied that based upon the Amended Verified Complaint for Forfeiture there is probable cause to believe that the defendant articles are adulterated under the Act, and therefore subject to seizure, condemnation, and forfeiture to the United States pursuant to 21 U.S.C. § 334;

YOU ARE, THEREFORE, HEREBY COMMANDED PURSUANT TO RULE G(3) (c), Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims of the Federal Rules of Civil Procedure (the "Supplemental Rules") to arrest and seize the defendant articles. The United States Marshal and other personnel they deem necessary are specifically authorized by the Court to enter the premises of Lord Pharmaceutical, LLC., d/b/a Bee International Distributors and/or Mr. Edgardo Paris, located adjacent and within the premises of A.S. Development at Road # 938, Km. 1.3, Sector Mambiche Prieto, Humacao, Puerto Rico and the premises of Puerto Rico Beverage, Inc., located at Road #3, Km. 106.9, Urb. Industrial Urbana, Maunabo, Puerto Rico, including involuntary entrance, so as to locate, identify, and seize the defendant articles that are the subject of this action and use their discretion and whatever means appropriate to protect and maintain said defendant articles; and

YOU ARE COMMANDED to publish notice of the seizure in a manner consistent with the Supplemental Rules.

YOU ARE FURTHER COMMANDED to provide notice of this action to all persons who reasonably appear to be potential claimants of the defendant articles by sending such persons a copy of this warrant and a copy of the Amended Verified Complaint for forfeiture, in a manner consistent

with Rule G(4) of the Supplemental Rules. This warrant provides notice that in order to avoid forfeiture of the defendant articles, any person claiming an interest in the defendant articles must file a claim, signed under penalty of perjury, identifying the specific defendant articles claimed, identifying the claimant, and stating the claimant's interest in the defendant articles in the manner set forth in Rule G(5) of the Supplemental Rules. Any such claim must also be served on Assistant United States Attorney Héctor E. Ramírez-Carbó, at the following address: United States Attorney's Office, Torre Chardón, Suite 1201, 350 Carlos Chardón Street, San Juan, Puerto Rico 00918, (787) 766-5656. In no event may such claim be filed later than 35 days after the date of notice of the amended complaint, or as applicable, no later than 30 days after the final publication of notice of the filing of the Amended Verified Complaint. In addition, any persons having filed such a claim must also file an answer to the Amended Verified Complaint not later than 20 days after the filing of the claim, with a copy thereof served on Assistant United States Attorney Héctor E. Ramírez-Carbó, at the following address: United States Attorney Office, Torre Chardón, Suite 1201, 350 Carlos Chardón Street, San Juan, Puerto Rico 00918, (787) 766-5656.

You ARE FURTHER COMMANDED, promptly after execution of this process, to file the same in this Court with your return thereon, identifying the individuals who received copies of this matter and the manner employed.

In San Juan, Puerto Rico, this 23 day of June 2010.

FRANCES RIOS DE MORAN, ESQ.
Clerk of the Court

CARMEN L. SANTANA
Deputy Clerk

Deputy Clerk